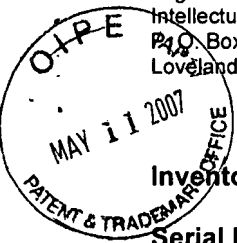


Att/Agent
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): James M. Minor

Serial No.: 10/821,829

Examiner: Skowronek, Karlheinz R.

Filing Date: April 9, 2004

Group Art Unit: 1631

Title: Methods and Systems for Evaluating and for Comparing Methods of Testing Tissue Samples

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

05/14/2007 CNEGA1 00000023 501078 10021029
01 FC:1401 500.00 DA

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, January 8, 2007, rejecting the following claims: 1-13 and 17-20

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

- | | | |
|-------------------------------------|--------------|-----------|
| <input checked="" type="checkbox"/> | one month | \$ 120.00 |
| <input type="checkbox"/> | two months | \$ 450.00 |
| <input type="checkbox"/> | three months | \$1020.00 |
| <input type="checkbox"/> | four months | \$1590.00 |

05/14/2007 CNEGA1 00000023 10021029
02 FC:1251 120.00 DA

☐ The extension fee has already been filled in this application.

☐ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **50-1078** the sum of \$620.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 5/8/2007

☐ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Maria J. Sousa

Signature:

Respectfully submitted,

James M. Minor

By

Alan W. Cannon
Attorney/Agent for Applicant(s)

Reg. No. 34,977

Date: May 8, 2007

Telephone No. 408-736-3554